

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAHEEM TURNER,

Petitioner,

v.

CCP OF PHILA. CNTY, et al., MICHELLE  
FARRELL, Warden at C.F.C.F.,

Respondents.

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CIVIL ACTION NO. 15-3224

**MEMORANDUM OPINION**

Smith, J.

August 5, 2015

The *pro se* petitioner, Raheem Turner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 on June 8, 2015. Doc. No. 1. According to the petition, the petitioner appears to be awaiting the ultimate disposition of certain unidentified criminal charges. Pet. for Writ of Habeas Corpus 28 USC 2241 in the Nature of a Pet. for Review Nunc Pro Tunc at 3-4, 6.<sup>1</sup> He seeks a court order that would dismiss the criminal indictment in his state-court case and release him from his current confinement. *Id.* at 6.

When the petitioner filed the instant habeas petition, he either had to submit a filing fee of \$5.00 or file an application to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a) (indicating that the “clerk of each district court shall require the parties instituting . . . [an] application for a writ of habeas corpus” to pay a \$5.00 filing fee); 28 U.S.C. § 1915 (allowing the court to permit the commencement of any action “without prepayment of fees or security therefor, by a person who submits an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor”). As the petitioner did not remit the

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<sup>1</sup> Other than the reference to the Court of Common Pleas of Philadelphia County in the caption, there are no specific averments in the petition concerning the county in which the Commonwealth charged the petitioner, the precise nature of the charges against the petitioner, or the current status of the case.

\$5.00 fee or file an application to proceed *in forma pauperis*, this court entered an order on June 17, 2015, in which the court required (1) the clerk of court to furnish the petitioner with an application to proceed *in forma pauperis*, and (2) the petitioner to complete and return the application to proceed *in forma pauperis* or remit the required \$5.00 fee to the clerk of court within 30 days of the date of the order. *See* June 17, 2015 Ord., Doc. No. 2. The court also specifically informed the petitioner that the failure to remit the \$5.00 fee or return the application in 30 days would result of the dismissal of this action without further notice to him. *Id.*

Well over 30 days have passed since the June 17, 2015 order and the petitioner has not remitted the \$5.00 fee or filed a completed *in forma pauperis* application.<sup>2</sup> He has also not requested an extension of the 30-day deadline. Accordingly, the court will dismiss this action without prejudice.<sup>3</sup>

An appropriate order follows.

BY THE COURT:

/s/ Edward G. Smith, J.  
EDWARD G. SMITH, J.

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<sup>2</sup> According to the docket, the clerk of court's office sent a copy of the June 17, 2015 order and the form application to proceed *in forma pauperis* to the petitioner.

<sup>3</sup> There is also no cause to issue a certificate of appealability.